



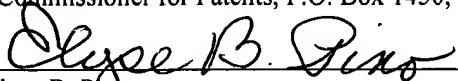
DOCKET NO: L0532.70010US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Henry F. McInerney, et al.
Serial No: 09/556,280
Confirmation No: 7997
Filed: April 24, 2000
For: PORTABLE AUTHENTICATION DEVICE AND
METHOD OF AUTHENTICATING PRODUCTS OR
PRODUCT PACKAGING
Examiner: Rosenberger, Richard A.
Art Unit: 2877

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to MAIL STOP Issue Fee, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 10th day of January, 2006.


Elyse B. Pino

MAIL STOP Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants request consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

The references cited in the present Information Disclosure Statement were originally cited in an Information Disclosure Statement mailed April 6, 2004, which date was more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application. The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) was enclosed with the Information Disclosure Statement mailed on April 6, 2004.

The Applicants believe that the references were properly cited in the IDS mailed April 6, 2004 and should have been in the file. Because it is believed that the IDS was properly cited in the IDS mailed April 6, 2004, no fee is included with the present IDS.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

In the Notice of Allowance, the Examiner has indicated that certain of the non-patent literature listed on the 1449 form of the IDS mailed on April 6, 2004 were not present in the file and thus the Examiner has lined through those citations as not being considered. Accordingly, Applicants are submitting a new 1449 form listing only those references lined out by the Examiner as well as a copy of the references themselves.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

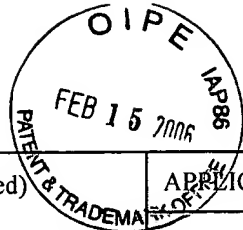
An early and favorable action is hereby requested.

Respectfully submitted,
Henry F. McInerney, et al., *Applicants*

By: 

Neil P. Ferraro, Reg. No. 39,188
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

Docket No. L0532.70010US00
Date: February 10, 2006
XNDDX



FORM PTO-1449/A and B (Modified)		APPLICATION NO.: 09/556,280	ATTY. DOCKET NO.: L0532.70010US00
INFORMATION DISCLOSURE STATEMENT BY APPLICANT		FILING DATE: April 24, 2000	CONFIRMATION NO.: 7997
		APPLICANT: Henry F. McInerney, et al.	
		GROUP ART UNIT: 2877	EXAMINER: Rosenberger, Richard A.
Sheet	1	of	1

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	B8	Videk, "Inspect on Demand" Patent to expand ADF capabilities for on demand digital printing" – 10/23/2003, 1 page, http://videk.com/press.asp .	
	B9	Videk, "Videk Invisible Ink Printing & Reading to be Demonstrated for First Time on Production Printers at the Oce" 05/09/2001, 1 page, http://videk.com/press.asp .	
	B10	Videk, "Invisible Code Printing and Reading Products lead the way at Xplor for Videk and their Partners" – 10/21/2002, 2 pages, http://videk.com/press.asp .	
	B11	Matrixscanner MAC 320, "Today Pharmacode – Tomorrow Data Matrix ECC 200", printed 11/17/2003, 2 pages, http://omnitron-ag.de/e/mac320.htm .	
	B12	InViziCode™, "InViziCode Reading Systems", 3 pages, http://videk.com .	
	B13	InViziReaders: InViziCode Reading Systems: "How Videk InViziReaders work: 1 page, printed 11/17/2003, http://www.invizicode.com .	
	B14	Videk, "Matchvision", 1 page, printed 11/17/2003, http://videk.com/matchvision.asp .	
	B15	Videk, "Print Verification Stand", 1 page, printed 11/17/2003, http://videk.com/printerveri.asp .	
	B16	Videk, "2-D Code Reading" 1 page, printed 11/17/2003, http://videk.com/2dcode.asp .	
	B17	Videk, "Videk Enters into Partnership with Omnitron AG – 9/21/2001, http://videk.com/press.asp .	
	B18	Gunther, "The Future is Now... Invisible Printing and reading", 2 pages, printed 11/17/2003, http://www.invizicode.com/Invizi_Article.htm	
	B19	InViziCode™, "Frequently Asked Questions", 2 pages, printed 11/17/2003, http://www.invizicode.com/FAQ.htm .	
	B20	Videk, "InserterVisiton, 1 page, printed 11/17/2003, http://videk.com/inserter.asp .	
	B21	Videk, "DocuVision" 1 page, printed 11/17/2003, http://videk.com/docuvision.asp .	
	B25	Videk enters into IBM Vendor Partner Program - 12/19/2001, http://videk.com/press.asp .	
	B26	Videk "Videk, Sure-Feed Engineering Demonstrate Invisible Ink Reading and Printing Technology at Production Speeds"m 1 page - 4/20/20010, http://videk.com/press.asp .	
	B29	Videk, "VidekVision™ Check Inspection System Verifies U.S. Treasury Checks", 1 page - 8/31/2000, http://videk.com/press.asp	

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

Serial No. 09/556,280 File No. LO532.700104500 By: NPF

Title: Portable Authentication Device

Application of McInerney WGS Date: NDD

The U.S. PTO Mail Room acknowledges receipt of the following on the date stamped hereon:

- | | |
|---|--|
| <p><input type="checkbox"/> Mailing by Express Mail (37 CFR 1.10)
Express Mail Label No. _____</p> <p><input type="checkbox"/> Patent Application</p> <p><input type="checkbox"/> Non-provisional <input type="checkbox"/> Provisional
Incl. _____ pages, (_____ pgs) Specification,
(_____ pgs) Abstract, (_____ pgs) Claims (_____ # claims)</p> <p><input type="checkbox"/> Design Patent Application</p> <p><input type="checkbox"/> Declaration(s) _____</p> <p><input type="checkbox"/> Drawings _____ Sheet(s) (FIGS. _____)
<input type="checkbox"/> Formal <input type="checkbox"/> Informal</p> <p><input type="checkbox"/> Utility Patent Application Transmittal</p> <p><input type="checkbox"/> Fee calculation sheet (x2)</p> <p><input type="checkbox"/> CPA Transmittal</p> <p><input type="checkbox"/> Verified Statement claiming small entity status</p> <p><input type="checkbox"/> Request for Approval and Entry of Formal Drawings</p> | <p><input checked="" type="checkbox"/> Provisional Application Cover Sheet</p> <p><input checked="" type="checkbox"/> Multiple Dependent Claim Fee Sheet</p> <p><input checked="" type="checkbox"/> Inf. Discl. Statement, PTO Form 1449</p> <p><input checked="" type="checkbox"/> References Cited</p> <p><input type="checkbox"/> Priority Document(s) # _____</p> <p><input type="checkbox"/> Copy of Notice to File Missing Parts</p> <p><input type="checkbox"/> Amendment/Response</p> <p><input type="checkbox"/> Petition for Ext. of Time (x2)</p> <p><input type="checkbox"/> Issue Fee Transmittal</p> <p><input type="checkbox"/> Assignment and Coversheet</p> <p><input type="checkbox"/> Notice of Appeal</p> <p><input type="checkbox"/> Brief (x3)</p> <p><input type="checkbox"/> Check for \$ <u>180</u> Check # <u>32385</u></p> <p><input type="checkbox"/> Transmittal Letter (x2)</p> <p><input type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(a)</p> |
|---|--|

☐ Other _____

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32385

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Commissioner Of Patents & Trademarks

TO THE
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OF

L0532-70010US00

Patricia R. O'Brien
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⑈ 32385 ⑈ ⑆ 211070175 ⑆ 110785786 ⑈

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02000

Commissioner Of Patents & Trademarks Wolf, Greenfield & Sacks, P.C.



32385

DATE	INVOICE	VOUCHER	MATTER	DESCRIPTION	ACCOUNT	AMOUNT
04-06-04	040604	4040042	L0532-70010US00			
TOTAL						180.00




DOCKET NO: L0532/70010US00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Henry F. McInerney, et al.
Serial No: 09/556,280
Confirmation No: 7997
Filed: April 24, 2000
For: PORTABLE AUTHENTICATION DEVICE AND
METHOD OF AUTHENTICATING PRODUCTS OR
PRODUCT PACKAGING
Examiner: Rosenberger, Richard A.
Art Unit: 2877

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 6 day of April, 2004.


Rita A. LeBlanc

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

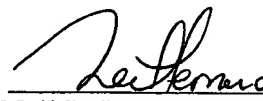
Transmitted herewith are the following documents:

1. Information Disclosure Statement;
2. PTO Form 1449 with cited references; and
3. Return Receipt Postcard

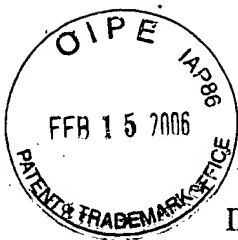
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed. If the fee is insufficient, the balance may be charged to the account of the undersigned, Deposit Account No. 23/2825.

Respectfully submitted,
Henry F. McInerney, et al., Applicants

By: 
Neil P. Ferraro, Reg. No.: 39,188
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617)720-3500

Date: April 6, 2004
xNDDx



DOCKET NO: L00532/70010/NPF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Henry F. McInerney, et al.
Serial No: 09/556,280
Confirmation No: 7997
Filed: April 24, 2000
For: PORTABLE AUTHENTICATION DEVICE AND
METHOD OF AUTHENTICATING PRODUCTS OR
PRODUCT PACKAGING
Examiner: Rosenberger, Richard A.
Art Unit: 2877

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 15 day of April, 2004.


Rita A. LeBlanc

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicants request consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application. The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

PART II: Information Cited

A. The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicants make no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

Serial No.: 09/556,280

- 3 -

Art Unit: 2877

An early and favorable action is hereby requested.

Respectfully submitted,
Henry F. McNerney, et al., *Applicants*

By: 

Neil P. Ferraro, Reg. No. 39,188
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

Docket No. L00532/70010/NPF

Date: April 6, 2004

XNDDX

FORM PTO-1449/A and B (Modified) 1 5 2006

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

APPLICATION NO.: 09/556,280

ATTY. DOCKET NO.: L0532.70010US00

FILING DATE: April 24, 2000

CONFIRMATION NO.: 7997

APPLICANT: Henry F. McInerney, et al.

GROUP ART UNIT: 2877

EXAMINER: Rosenberger, Richard A.

Sheet 1 of 2

U.S. PATENT DOCUMENTS

Examiner's Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	B1	6,542,622	B1	Nelson et al.	04-01-2003
	B2	6,473,524	B1	Reda et al.	10-29-2002
	B3	5,204,914		Mason et al.	04-20-1993
	B4	5,159,664		Yamamoto et al.	10-27-1992
	B5	5,150,425		Martin et al.	09/22/1992

FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			
	B6	GB	2 316 682	A	Dickinson et al.	03-04-1998	

OTHER ART -- NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	B7	Videk, "Videk signs another contract with U.S. Treasury-10/14/2003, 2 pages, http://videk.com/press.asp	
	B8	Videk, "Inspect on Demand" Patent to expand ADF capabilities for on demand digital printing" - 10/23/2003, 1 page, http://videk.com/press.asp .	
	B9	Videk, "Videk Invisible Ink Printing & Reading to be Demonstrated for First Time on Production Printers at the Océ" 05/09/2001, 1 page, http://videk.com/press.asp .	
	B10	Videk, "Invisible Code Printing and Reading Products lead the way at Xplor for Videk and their Partners" - 10/21/2002, 2 pages, http://videk.com/press.asp .	
	B11	Matrixscanner MAC 320, "Today Pharmacode - Tomorrow Data Matrix ECC 200", printed 11/17/2003, 2 pages, http://omnitron-ag.de/e/mac320.htm .	
	B12	InViziCode™, "InViziCode Reading Systems", 3 pages, http://videk.com .	
	B13	InViziReaders: InViziCode Reading Systems: "How Videk InViziReaders work: 1 page, printed 11/17/2003, http://www.invizicode.com .	
	B14	Videk, "Matchvision", 1 page, printed 11/17/2003, http://videk.com/matchvision.asp .	
	B15	Videk, "Print Verification Stand", 1 page, printed 11/17/2003, http://videk.com/printrveri.asp .	
	B16	Videk, "2-D Code Reading" 1 page, printed 11/17/2003, http://videk.com/2dcode.asp .	
	B17	Videk, "Videk Enters into Partnership with Omnitron AG - 9/21/2001, http://videk.com/press.asp .	

EXAMINER

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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]

FORM PTO-1449/A and B (Modified) INFORMATION DISCLOSURE STATEMENT BY APPLICANT		APPLICATION NO.: 09/556,280		ATTY. DOCKET NO.: L0532.70010US00	
		FILING DATE: April 24, 2000		CONFIRMATION NO.: 7997	
		APPLICANT: Henry F. McInerney, et al.			
		GROUP ART UNIT: 2877		EXAMINER: Rosenberger, Richard A.	
Sheet	2	of	2		

U.S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

Examiner's Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
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OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)
	B18	Gunther, "The Future is Now... Invisible Printing and reading", 2 pages, printed 11/17/2003, http://www.invizicode.com/Invizi_Article.htm	
	B19	InViziCode™, "Frequently Asked Questions", 2 pages, printed 11/17/2003, http://www.invizicode.com/FAQ.htm .	
	B20	Videk, "InserterVisiton, 1 page, printed 11/17/2003, http://videk.com/inserter.asp .	
	B21	Videk, "DocuVision" 1 page, printed 11/17/2003, http://videk.com/docuvision.asp .	
	B22	Videk signs multi-million dollar contract with Northrop Grumman - 11/14/2003, 2 pages, http://videk.com/press.asp .	
	B23	Videk, "Videk is allowed significant U.S. Patent OCR/OCV", 1 page - 7/26/2002, http://videk.com/press.asp .	
	B24	Videk, "InViziCode™ Continuous Web Printer is Launched" 1 page - 5/13/2002, http://videk.com/press.asp .	
	B25	Videk enters into IBM Vendor Partner Program - 12/19/2001, http://videk.com/press.asp .	
	B26	Videk "Videk, Sure-Feed Engineering Demonstrate Invisible Ink Reading and Printing Technology at Production Speeds"m 1 page - 4/20/20010, http://videk.com/press.asp .	
	B27	Videk, "Data From Vision System is Available in Real Time to Three Locations on Two Continents with Videk VisionAnywhere™". 2 pages - 4/9/2001, http://videk.com/press.asp .	
	B28	Videk, "Invisible Ink Printing and Reading Technology is One of Seven New Solutions to be Demonstrated by Videk at Xplor, 2 pages - (10/23/2000), http://videk.com/press.asp .	
	B29	Videk, "VidekVision™ Check Inspection System Verifies U.S. Treasury Checks", 1 page - 8/31/2000, http://videk.com/press.asp	

EXAMINER	DATE CONSIDERED
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*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. __, filed __, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

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